



# Department of Justice

Acting United States Attorney Lawrence G. Brown  
Eastern District of California

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CONTACT: Lauren Horwood  
PHONE: (916) 554-2706  
[usacae.edcapress@usdoj.gov](mailto:usacae.edcapress@usdoj.gov)

## **TWO ARRESTED IN FRAUDULENT TAX REFUND SCHEME IN CENTRAL VALLEY**

FRESNO, Calif.—Acting United States Attorney Lawrence G. Brown announced today that ANTONIO PANTOJA AHUMADA, 46, of Planada, Calif., and ERNESTO GARCIA GONZALEZ, 37, of Arvin, Calif., were arrested yesterday for their involvement in a fraudulent tax refund scheme in the Central Valley. The defendants made their initial appearances in U.S. District Court in Fresno today, and entered pleas of not guilty to making and presenting a false, fictitious or fraudulent claim to the Internal Revenue Service.

This case is the product of an extensive investigation by the Internal Revenue Service, Criminal Investigation (IRS-CI), United States Postal Inspection Service and the California State Franchise Tax Board.

According to United States Attorneys Sheila K. Oberto and Kirk E. Sheriff, who are prosecuting the case, in September 2007, the IRS Fresno Fraud Detection Center identified a fraudulent tax refund scheme in the Central Valley. At the same time, the United States Postal Inspection Service contacted the IRS-CI because they had discovered that several hundred refund checks were being mailed to a few Post Office boxes in various small cities in the California Central Valley. To date, a significant number of federal income tax returns have been filed claiming refunds. The tax returns contained similar characteristics including the use of computers to prepare the tax returns, submission of applications for Individual Taxpayer Identification Numbers (ITIN) simultaneously with the tax returns, photocopied Form W-2s, use of common mailing addresses, and the use of common income or wage information.

According to IRS Criminal Investigation, Special Agent-in-Charge, Scott O'Briant, "Yesterday's arrests send the message that participation in refund fraud schemes does not pay and those who do so will be prosecuted. The object of these types of schemes is to defraud the government and the taxpaying public. IRS-CI is actively involved in identifying and investigating those involved in this scheme."

The maximum statutory penalty for filing a false, fictitious, or fraudulent tax return is five years in prison and a fine of \$250,000. The actual sentence, however, will be determined at the discretion of the court after consideration of the Federal Sentencing Guidelines, which take into account a number of variables and any applicable statutory sentencing factors.

The charges are only allegations and the defendants are presumed innocent until and unless proven guilty beyond a reasonable doubt.

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